

REMARKS

This Amendment is submitted in response to the Official Letter dated June 14, 2004. Claim 27 has been amended to recite the claim dependency, which had been inadvertently omitted in the Preliminary Amendment filed on September 19, 2003. Claims 12, 18 and 41 have been amended to change the spelling of certain words. New claim 43 was previously added to the application. The application now includes claims 1 through 43 with claim 1 being the sole independent claim.

Applicants also have amended the specification to correct a typographic error.

In the Official Letter, the Examiner stated that there are five patentably distinct species of the operational variable of a corrective steer angle that is recited in independent claim 1. The Examiner further stated that the different species are identified by selected figures as follows:

- a. Species I is identified in Figs. 2 and 3;
- b. Species II is identified in Fig. 4;
- c. Species III is identified in Fig. 6;
- d. Species IV is identified in Fig. 8; and
- e. Species V is identified in Fig. 13, which is a combination of the above four species.

The Examiner further stated that the applicants are required under 35 U.S.C. §121 to elect a single disclosed species for prosecution on merits to which the claims shall be restricted if no generic claim is finally held allowable. The Examiner also stated that claim 1 appears to be generic.

Following a careful review of the figures and claims, applicants believe that the following claims are associated with each of the Species:

- a. Species I, identified in Figs. 2 and 3, is directed toward the operational variable of a corrective steer angle that is a function of a braking yaw moment and, accordingly, applicants believe that claims 2 through 4 and 9 are readable upon Species I.
- b. Species II, identified in Fig. 4, is directed toward the operational variable of

a corrective steer angle that is a function of vehicle yaw rate and, accordingly, applicants believe that claims 15 through 18 are readable upon Species II.

- c. Species III, identified in Fig. 6, is directed toward the operational variable of a corrective steer angle that is a function of vehicle yaw oscillation moment and, accordingly, applicants believe that claims 5, 6, 13 and 14 are readable upon Species III.
- d. Species IV, identified in Fig. 8, is directed toward the operational variable of a corrective steer angle that is a function of lateral drift correction and, accordingly, applicants believe that claims 7 and 8 are readable upon Species IV.
- e. Species V, identified in Fig. 13 for which, as described below, applicants believe that claims 1 through 43 are readable upon.

As stated by the Examiner in the Official Letter, Species V is a combination of the first four species listed above. Indeed, independent claim 1, which is indicated by the Examiner as currently appearing to be generic, merely recites a driver feedback controller that is adapted to be connected to the steering system and is responsive to at least one operational variable representing a corrective steer angle. The claims listed above that are readable upon Species I through IV recite specific operational variables representing a corrective steer angle and are patentably distinct from one another. None of the other claims recite a specific operational variable. Indeed, on page 15, lines 18 through 19 of the specification, it is stated that:

Fig. 13 is a "top level" diagram which includes all of the possible approaches implemented for split mu control as described herein.

Accordingly, because Fig. 13 does not illustrate a specific operational variable representing a corrective steer angle, applicants believe that claims 1 through 43 are readable upon Species V.

Applicants hereby elect, with traverse, Species V, upon which claims 1 through 43 are readable. Applicants traverse the Restriction Requirement because they believe that

Fig. 13 should not have been identified as a distinct species. Applicants' attorney has carefully reviewed Fig. 13 and did not find that a specific operational variable representing a corrective steer angle is shown in the figure.

Should the Examiner accept applicants' traverse that Fig. 13 does not illustrate a patentably distinct operational variable of a corrective steer angle, and withdraw Species V, applicants will subsequently elect one of the four remaining species listed above.

In view of the amendment and election, it is believed that the application is now in condition for substantive examination.